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S E C R E T SECTION 01 OF 03 KUWAIT 000258

SIPDIS

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TAGS: [PTER](#) [EFIN](#) [PREL](#) [ETTC](#) [CASC](#) [KU](#) [TERRORISM](#)

SUBJECT: AMBASSADOR DISCUSSES TERRORIST ATTACKS, CT
COOPERATION WITH NATIONAL SECURITY BUREAU PRESIDENT

REF: A. STATE 9823

[B](#). KUWAIT 185

[C](#). KUWAIT 174

Classified By: Ambassador Richard LeBaron, Reasons 1.4 (b) and (c)

[1](#). (S) SUMMARY. In a January 17 meeting with Ambassador, National Security Bureau President Shaykh Sabah Al-Khaled said that while it was too early to reach any conclusions about last week's terrorist attacks, Kuwaitis everywhere were raising their voices against these incidents. He said he hoped that interrogations of detainees would provide investigators with more information about the terrorists, sympathizers, plans and intentions, all of which would be shared with the U.S. once the investigating was finished. The Ambassador stressed that communications channels must be active at all stages of the investigation -- not just at the conclusion -- and that there must be constant communications at the working level. He encouraged Shaykh Sabah Al-Khaled to urge his colleagues to share information early and often, and underscored that protection of American citizens was his most important priority. The Ambassador said Kuwait should improve its investigation techniques to ensure that good legal cases could be made and proper sentences imposed, and offered U.S. technical assistance. He also told Shaykh Sabah about Department of Justice funds available for improving counterterrorism investigation techniques and strengthening Kuwait's legal framework.

[2](#). (S) The Ambassador informed Shaykh Sabah of the upcoming designation of Kuwaiti Muhsin Fadhli as a Specially Designated Global Terrorist under E.O. 13224, and encouraged Kuwait to cosponsor Fadhli's UN designation. Shaykh Sabah Al-Khaled said that Kuwait would build a case against him if the U.S. would provide solid evidence. OMC Chief and Ambassador then briefed Shaykh Sabah Al-Khaled about an ongoing U.S.-Kuwaiti criminal investigation into the illegal commercial sale of U.S. and Saudi military humvees, and discussed Kuwait's strategic review plan. Finally, the Ambassador inquired whether Kuwait had been contacted by NATO regarding its acceptance into the Istanbul Cooperative Initiative. END SUMMARY.

Counterterrorism Cooperation: We Need More Information

[3](#). (S) In a January 17 meeting with National Security Bureau President Shaykh Sabah Al-Khaled, the Ambassador expressed his condolences for the loss of the Kuwaiti security forces during the recent terrorist confrontations, saying it was a tragedy to see Kuwaitis shooting Kuwaitis. (NOTE. Those involved in the January 10 attack are believed to be all Kuwaitis. One militant killed January 15 was Saudi. END NOTE). The Ambassador noted the Embassy's concern about the attacks, and asked for Shaykh Sabah's assessment. Thanking the Ambassador for his condolences, Shaykh Sabah Al-Khaled said that it was too early to reach any conclusions about the attacks. However, he added, individuals are in custody, and the security services are following other individuals and investigating leads. (Shaykh Sabah Al-Khaled pointed out that carrying out this investigation would be "a big challenge" for the security and intelligence services, given their ongoing responsibility to protect U.S. military convoys, schools and installations.)

[4](#). (S) Shaykh Sabah Al-Khaled said Kuwaitis everywhere were raising their voices against these attacks publicly, in the media and in "diwaniyyas," which he deemed significant since Kuwaitis rarely discuss such problems openly. According to him, "there is no room for such terrorist elements in Kuwait." He said he hoped that interrogations of detainees would provide them with more information about the terrorists, sympathizers, plans and intentions. He said that once the investigating was finished, Kuwait would share its findings with the U.S.

[5](#). (S) The Ambassador pointed out that communications channels must be active at all stages of the investigation (not just at the end), and there must be constant communications at the working level. While expressing his appreciation for Kuwait's provision of convoy protection and perimeter security, the Ambassador pressed for even stronger liaison relations. He encouraged Shaykh Sabah Al-Khaled to urge his colleagues in the security services to share information early and often, and underscored that protection

of American citizens was his most important priority. Shaykh Sabah Al-Khaled was grateful for the Ambassador's input, saying that his Bureau's role was to ensure that the GOK security and intelligence services were working as a team. He asked the Ambassador to inform him anytime there were cooperation problems with Kuwaiti organizations.

Need for Better Investigative Tools

16. (S) The Ambassador also raised the need for Kuwait to improve its investigation techniques, which would help ensure that good legal cases could be made and proper sentences imposed. He particularly noted the need to monitor cellular telephone traffic efficiently. He urged Shaykh Sabah Al-Khaled to look at the legal and bureaucratic obstacles to cell phone monitoring.

Designation of Muhsin Fadhli

17. (S) The Ambassador informed Shaykh Sabah Al-Khaled that on January 25, the U.S. will designate Kuwaiti citizen Muhsin Fadhli as a Specially Designated Global Terrorist under E.O. 13224 (Ref A), and encouraged Kuwait to cosponsor Fadhli's UN designation (NOTE. More information on the Fadhli designation will be reported septel). Shaykh Sabah Al-Khaled and his staff asked about the implications of designating Fadhli, specifically whether it would be incumbent upon Kuwait to take him into custody once he is designated. Shaykh Sabah Al-Khaled added that if the U.S. would provide Kuwait with solid evidence, Kuwait would build a case against him.

Technical Assistance

18. (C) The Ambassador told Shaykh Sabah Al-Khaled that there are Department of Justice funds available for technical assistance in counterterrorism investigation techniques and to strengthen Kuwait's legal framework. He noted that there are large gaps in Kuwait's laws on counterterrorism, and cited the absence of a specific law criminalizing terrorist financing. The Ambassador registered his concern that this legal loophole is facilitating the financing of terrorist attacks against U.S. forces in Iraq. Shaykh Sabah Al-Khaled replied that KSS thinks that because terrorist funding is now collected by hand, this is an indication that they have been successful in closing off all other means of terrorist finance. Cash, he added, is very difficult to follow.

Military Humvees for Sale

19. (SBU) The Ambassador informed Shaykh Sabah Al-Khaled about an ongoing U.S.-Kuwaiti criminal investigation into the sale of used U.S. and Saudi military humvees, which have apparently been sold commercially (and illegally) in Saudi Arabia and Kuwait by a company under contract to destroy them. OMC Chief added that Kuwait Customs has been extremely cooperative in finding one of the buyers and recovering a large number of vehicles. (An investigation is underway in U.S. military channels.)

110. (SBU) Both the Ambassador and OMC Chief spoke about the force protection implications of having these vehicles available on the commercial market, and the possibility that they could be used as "Trojan horses" by terrorists. OMC Chief asked Shaykh Sabah Al-Khaled to look into whether Kuwait had any legal requirements prohibiting civilians from buying military equipment and, if not, whether it should criminalize this. Shaykh Sabah Al-Khaled, who had not heard about the investigation previously, promised to follow up.

Strategic Review

111. (S) Concerning Kuwait's strategic review, the Ambassador indicated that the next phase would begin at the end of January. OMC Chief told Shaykh Sabah Al-Khaled that the same components would meet again to discuss Kuwait's perspective on threats, targets that should be protected, and the creation of a national security document. He emphasized that there must be interagency Kuwaiti input for the national security document to have value. Shaykh Sabah Al-Khaled said that the Kuwaitis were aware of the upcoming sessions, and were planning strategy meetings after the upcoming religious holiday.

NATO Istanbul Cooperative Initiative

112. (C) When asked whether the Kuwaitis had been contacted following their December 13 approval for participation in NATO's Istanbul Cooperative Initiative, Shaykh Sabah Al-Khaled said they were still awaiting formal notification.

He believed that they would receive further details by month,s end.

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